

## IN THE UNITED STATES COURT OF FEDERAL CLAIMS

GORDON D. SONDLAND,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 21-2083C
	)	(Senior Judge Smith)
UNITED STATES,	)	
	)	
Defendant.	)	

**JOINT STATEMENT REGARDING WITNESS TESTIMONY**

Pursuant to the Court's order dated January 13, 2025, ECF No. 67, Plaintiff, Gordon D. Sondland, and Defendant, the United States, respectfully submit this joint statement regarding the relevancy of testimony for witnesses to be examined as part of this trial on January 30, 2025.

**I. Michael R. Pompeo**

Defendant will call former Secretary of State Michael R. Pompeo. Plaintiff, Gordon D. Sondland, is the former United States Ambassador to the European Union. Plaintiff asserts that the United States, through Secretary Pompeo, entered a contract to reimburse Amb. Sondland for his private counsel expenses in relation to an impeachment inquiry conducted by certain committees of the United States House of Representatives, in 2019. Plaintiff alleges that the contract was formed during a telephone call on October 3, 2019, between Secretary Pompeo and Amb. Sondland and was later reaffirmed by the Defendant.

Secretary Pompeo's testimony is expected to address that call, in addition to any other interactions he had with Amb. Sondland or his representatives. Secretary Pompeo may also testify regarding the Department of State's involvement in the representation of individuals called to provide information in the impeachment inquiry, and regarding State's reimbursement of private counsel fees related to the impeachment proceedings.

**II. Kwame Manley**

Plaintiff will call Kwame Manley, Esq., who is a partner with and the Chairman of the Litigation Department of the international law firm Paul Hastings LLP. Plaintiff asserts that Mr. Manley's testimony is relevant regarding his representation of Amb. Sondland, including but not limited to Mr. Manley's personal knowledge regarding the October 3, 2019, telephone call between Secretary Pompeo and Amb. Sondland.

Plaintiff further asserts that Mr. Manley's testimony is relevant and will confirm and corroborate the existence of the contract claimed by Amb. Sondland which forms the subject matter of this action and the damages arising from the Defendant's breach of that contract.

The United States does not adopt Plaintiff's assertions regarding the relevance and import of Mr. Manley's testimony, but the United States agrees as to the subjects to which Mr. Manley is expected to testify.

Both parties respectfully reserve the right to secure direct testimony from any party or witness who offers testimony at trial, for either party.

Respectfully submitted,

BRETT A. SHUMATE  
Acting Assistant Attorney General

PATRICIA M. McCARTHY  
Director

/s/Steven J. Gillingham  
STEVEN J. GILLINGHAM  
Assistant Director

/s/William J. Grimaldi  
WILLIAM J. GRIMALDI  
Assistant Director  
GEOFFREY M. LONG  
Senior Trial Counsel  
JOSHUA TULLY  
CATHERINE YANG  
Trial Attorneys  
Commercial Litigation Branch  
Civil Division, Department of Justice  
P.O. Box 480  
Ben Franklin Station  
Washington, D.C. 20044  
Telephone: (202) 616-0471  
E-mail: william.j.grimaldi@usdoj.gov

OF COUNSEL:

MICHAEL ZUBROW  
Attorney-Advisor  
Office of the Legal Adviser  
U.S. Department of State

Attorneys for Defendant

Dated: January 29, 2025

/s/Mark A. Barondess  
MARK A. BARONDESS  
MILLER BARONDESS LLP  
1999 Avenue of the Stars  
Suite 1000  
Los Angeles, CA 90067  
Telephone: (310) 552-4400  
Facsimile: (310) 552-8400  
Email: mbarondess@millerbarondess.com

Attorneys for Gordon D. Sondland